

REMARKS

The Office Action has been reviewed and the Examiner's comments carefully considered. Claims 40, 46 and 50-51 are amended. No claims are added. Claims 32 and 45 are canceled. Thus, claims 20-21, 24-25, 30-31, 33, 36-44, and 46-51 are pending and are submitted for reconsideration.

Claim objections

Objections have been raised with reference to claims 46 and 50 because "each of lateral" should be "each of the lateral" in claim 46 and "wherein airbag" should be "wherein the airbag" in claim 50. Claims 46 and 50 have been amended to correct these minor grammatical and/or typographical errors. For at least this reason, reconsideration and withdrawal of the objection are respectfully requested.

Rejection of claims 32-33 based on 112, first paragraph

Claims 32-33 are rejected under 35 U.S.C. 112, first paragraph, because "a transparent airbag" of claim 32 and "a transparent woven fabric insert" of claim 33 acting as reinforcement mechanisms do not appear to be supported and they are not described in the specification in such a way so as to be enabling.

Claim 32 has been canceled, which renders the rejection of this claim moot.

The "transparent woven fabric insert" feature of claim 33 is supported at page 6a, line 1 to page 7, line 2, of the originally translated written description and Fig. 4. One of ordinary skill in the art would be able to make the transparent woven fabric with a basic knowledge of suitable materials (such as Nylon 66) and without undue experimentation, given the present disclosure.

Therefore, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection of claim 51 based on Naoyuki

Claim 51 is rejected under 35 U.S.C. 102(b) as being anticipated by JP 2000-264146 ("Naoyuki"). This rejection is traversed because Naoyuki does not disclose or suggest the claimed invention.

For example, claim 51 recites, among other things, at least one airbag which is arranged under an engine hood on a motor vehicle, is connected to at least one gas generator, unfolds to protect a pedestrian or cyclist who strikes the motor vehicle and, in a process of

unfolding, initially lifts up the engine hood from the motor vehicle at least at a location of the unfolding of the airbag to such an extent that the airbag can unfold outwardly in a second phase. In an unfolded state, the airbag has one chamber below the engine hood in a region of hinges of the engine hood, and extends above the engine hood over the entire width of the motor vehicle in front of a lower region of a windshield and A pillars of the motor vehicle. Lateral ends of the airbag which cover the A pillars point upward after the unfolding of said airbag. Airbag sections which are unfolded in front of the A pillars of the motor vehicle are additionally fixed in order to prevent lateral displacement of said airbag sections. The airbag has tucks which divide the airbag between a part and chambers in which openings are formed between the part and the chambers, and a module housing which has the gas generator connected with the chambers below the tucks such that the chambers are first to unfold.

Naoyuki does not teach or suggest the combination of features of claim 51. For instance, Naoyuki does not teach or suggest an airbag having tucks which divide the airbag between a part and chambers in which openings are formed between the part and the chambers. It is asserted in the Office Action that the upper cushion portion of Naoyuki is considered to be the part of claim 51 while the lateral and lower cushion portions of Naoyuki are considered to be the chambers of claim 51. (Page 4 of the Office Action.) However, Naoyuki does not teach the use of tucks to divide the upper cushion portion from the lateral and lower cushion portions. Indeed, Figs. 4 and 10, which are cited in the Office Action for supporting such an assertion, do not show any tucks. Because Naoyuki does not teach tucks which divide the airbag between a part and chambers in which openings are formed between the part and the chambers, claim 51 is allowable.

For at least these reasons, favorable reconsideration and withdrawal of the rejection are respectfully requested.

Rejection of claims 20-25, 30-31, 36, and 38-39 based on Naoyuki and Takimoto

Claims 20-25, 30-31, 36, and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naoyuki in view of EP 1350692 ("Takimoto"). This rejection is traversed because no combination of Naoyuki and Takimoto discloses or suggests the claimed invention.

For example, claim 20 recites, among other things, an airbag that is configured to be arranged under a hingedly connected hood of the vehicle; and a gas generator connected to the airbag. During inflation, the airbag is configured to lift at least a portion of the hood such that a section of the airbag can thereafter unfold onto an A-pillar and a lower portion of a windshield of the vehicle. When unfolded, the airbag is configured to include a chamber located below the hood in the vicinity of one of the hinges of the hood, and a lateral end of the airbag, which is configured to cover the A-pillar, points upward. The airbag section, which is configured to unfold onto the A-pillar, is fixed by a restraining member to prevent lateral displacement. The restraining member includes a pair of intercepting straps or tube-like airbags. The straps or tube-like airbags cross in a central portion of the vehicle.

No combination of Naoyuki and Takimoto teaches or suggests this combination of features. For instance, the Office Action correctly states that Naoyuki does not teach intercepting straps that cross in a central portion of the vehicle. (Page 6 of the Office Action.) Takimoto does not cure this deficiency. Figs. 6 of Takimoto teaches connecting members 13C and 13C', but these connecting members of Takimoto do not cross in a central portion of the vehicle as required by claim 20. Because neither Naoyuki nor Takimoto teach or suggest a pair of intercepting straps or tube-like airbags that cross in a central portion of the vehicle, claim 20 is allowable.

Claims 21, 24-25, 30-31, 36, and 38-39 depend from and contain all the features of claim 20, and are allowable for the same reasons as claim 20, without regard to the further patentable features contained therein.

Claims 22-23 have been canceled, rendering the rejection of these claims improper.

For at least these reasons, favorable reconsideration and withdrawal of the rejection are respectfully requested.

Rejection of claim 37 based on Naoyuki, Takimoto and Ryan

Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Naoyuki, Takimoto and U.S. Patent 6,712,169 ("Ryan"). Claim 37 depends from and contains all the features of claim 20. As previously mentioned, Naoyuki and Takimoto do not teach or suggest a pair of intercepting straps or tube-like airbags that cross in a central portion of the vehicle. Ryan does not cure these deficiencies. Thus, no combination of Naoyuki, Takimoto

and Ryan teaches or suggests all the features of claim 20 and its dependent claim 37. For at least these reasons, favorable reconsideration and withdrawal of the rejection are respectfully requested.

Rejection of claims 40-45 and 49-50 based on Naoyuki and Rach

Claims 40-45 and 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naoyuki in view of DE 10062560 ("Rach"). This rejection is traversed because no combination of Naoyuki and Rach discloses or suggests the claimed invention.

For example, claim 40 (as amended) recites, among other things, an airbag that is configured to be arranged under a hingedly connected hood of the vehicle; and a gas generator connected to the airbag. During inflation, the airbag is configured to lift at least a portion of the hood such that a section of the airbag can thereafter unfold onto an A-pillar and a lower portion of a windshield of the vehicle. When unfolded, the airbag is configured to include a chamber located below the hood in the vicinity of one of the hinges of the hood, and a lateral end of the airbag, which is configured to cover the A-pillar, points upward. The airbag section, which is configured to unfold onto the A-pillar, is fixed by a restraining member to prevent lateral displacement. The restraining member includes a pair of tube-like airbags in which each tube-like airbag spans across the vehicle in a lateral direction and both tube-like airbags intersect with each other.

No combination of Naoyuki and Rach teaches or suggests this combination of features. For instance, no combination of Naoyuki and Rach teaches or suggests a pair of tube-like airbags in which each tube-like airbag spans across the vehicle in a lateral direction and both tube-like airbags intersect with each other. Naoyuki does not teach a pair of tube-like airbags, as correctly stated on page 10 of the Office Action. Rach, including Fig. 19, does not show tube-like airbag that span across the vehicle in a lateral direction in which both tube-like airbags intersect with each other. Because neither Naoyuki nor Rach teaches or suggests a pair of tube-like airbags in which each tube-like airbag spans across the vehicle in a lateral direction and both tube-like airbags intersect with each other, claim 40 is allowable.

Claims 41-44 and 49-50 depend from and contain all the features of claim 40, and are allowable for the same reasons as claim 40, without regard to the further patentable features contained therein.

Claim 45 has been canceled, which renders the rejection of this claim moot.

For at least these reasons, favorable reconsideration and withdrawal of the rejection are respectfully requested.

Rejection of claims 46-47 based on Naoyuki, Rach, and Takimoto

Claims 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naoyuki, Rach, and Takimoto. Claims 46-47 depend from and contain all the features of claim 40. As previously mentioned, no combination of Naoyuki and Rach teaches or suggests a pair of tube-like airbags in which each tube-like airbag spans across the vehicle in a lateral direction and both tube-like airbags intersect with each other. Takimoto does not cure this deficiency. Thus, no combination of Naoyuki, Rach, and Takimoto teaches or suggests all the features of claim 40 and its dependent claims 46-47. For at least these reasons, favorable reconsideration and withdrawal of the rejection are respectfully requested.

Rejection of claim 48 based on Naoyuki, Rach, and Ryan

Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Naoyuki, Rach, and Ryan. Claim 48 depends from and contains all the features of claim 40. As previously mentioned, no combination of Naoyuki and Rach teaches or suggests a pair of tube-like airbags in which each tube-like airbag spans across the vehicle in a lateral direction and both tube-like airbags intersect with each other. Ryan does not cure this deficiency. Thus, no combination of Naoyuki, Rach, and Ryan teaches or suggests all the features of claim 40 and its dependent claim 48. For at least these reasons, favorable reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

It is believed that the present application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or

even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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